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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

BED BATH & BEYOND INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 23-13359 (VFP)

(Jointly Administered)

**NOTICE OF *AMENDED*² AGENDA OF MATTERS SCHEDULED FOR HEARING ON
AUGUST 30, 2023 AT 10:00 A.M. (ET)**

¹ The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.'s principal place of business and the Debtors' service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

² **Amended items in bold.**

I. MATTERS GOING FORWARD

1. Sale Hearing with Respect to Phase I Leases

A. Related Documents

- Order (I) Approving the Auction and Bidding Procedures, (II) Approving Stalking Horse Bid Protections, (III) Scheduling Bid Deadlines and an Auction, (IV) Approving the Form and Manner of Notice Thereof, and (V) Granting Related Relief [Docket No. 92]
- Order (I) Establishing Procedures to Sell Certain Leases, (II) Approving the Sale of Certain Leases, and (III) Granting Related Relief [Docket No. 422]
- Notice of Lease Auction and Potential Lease Sale Hearing [Docket No. 456]
- Notice of Phase 1 Lease Auction, Qualified Bids, Lease Sale Hearing, and Related Lease Asset Information [Docket No. 905]
- Supplemental Notice of Phase 1 Lease Auction, Qualified Bids, Lease Sale Hearing, and Related Lease Asset Information [Docket No. 964]
- Notice of Successful and Backup Bidder with Respect to the Phase 1 Auction of Certain of the Debtors' Lease Assets and Assumption and Assignment of Certain Unexpired Leases [Docket No. 1114]
- Notice of Assumption of Certain Unexpired Leases [Docket No. 1157]
- Notice of Uncontested Matters Proceeding on July 18, 2023 [Docket No. 1394]
- Amended Notice of Cancellation of Hearing Scheduled for July 24, 2023 at 10:00 A.M. (ET) and Rescheduled Hearing on July 28, 2023 at 10:00 A.M. (ET) [Docket No. 1444]
- Notice of Matters Scheduled for Hearing on July 28, 2023 at 10:00 A.M. (ET) [Docket No. 1582]
- Notice of Matters Scheduled for Hearing on July 31, 2023 at 11:00 A.M. (ET) [Docket No. 1642]
- Debtors' Omnibus Reply in Support of Debtors' Motion for Entry of an Order (I) Establishing Procedures to Sell Certain Leases,

(II) Approving the Sale of Certain Leases, and (III) Granting Related Relief [Docket No. 2062]

- Declaration of Emilio Amendola in Support of Debtors' Reply in Support of Debtors' Motion for Entry of an Order (I) Establishing Procedures to Sell Certain Leases, (II) Approving the Sale of Certain Leases, and (III) Granting Related Relief [Docket No. 2062-1]

B. Responses/Objections

- **Limited Objection of Realty Income Corporation to Potential Assumption and Assignment of Unexpired Lease and Reservation of Rights [Docket No. 1025]**
- Objection of Landlord, Edison TOCA001 LLC to Debtors' Motion for Order Authorizing Debtors to Assume and Assign Unexpired Non-Residential Real Property Lease for Store No. 3076 [Docket No. 1320]
- Objection of Pinnacle Hills, LLC to Debtors' Motion for Order Authorizing Debtors to Assume and Assign Lease for Store No. 1142 [Docket No. 1323]
- Opposition of HGREIT II Edmondson Road, LLC to Debtors' Motion for Order Authorizing Debtors to Assume and Assign Unexpired Non-Residential Real Property Lease for Store No. 301 [Docket No. 1326]
- Limited Objection and Joinder of Regency Centers L.P. and Daly City Serramonte Center, LLC to Debtors' Motion for Order Authorizing Debtors to Assume and Assign Unexpired Non-Residential Real Property Leases for Store Nos. 3108 and 385 [Docket No. 1328]
- Objection By Landlord DPEG Fountains, LP to Debtors' Proposed Assumption and Assignment of Lease [Docket No. 1340]
- Amended Objection By Landlord DPEG Fountains, LP to Debtors' Proposed Assumption and Assignment of Lease [Docket No. 1344]
- Objection of Landlord Realty Income Corporation to Debtors' Motion for Order Authorizing Debtors to Assume and Assign Real Property Lease for Store No. 1107 [Docket No. 1360]
- **Michael's Stores, Inc.'s Reply to Objection of Pinnacle Hills, LLC to Debtors' Motion for Order Authorizing Debtors to Assume and Assign Lease for Store No. 1142 [Docket No. 1383]**
- **Declaration of Todd Powers in Support of Michael's Stores, Inc.'s Reply to Objection of Pinnacle Hills, LLC to Debtors' Motion for**

Order Authorizing Debtors to Assume and Assign Lease for Store No. 1142 [Docket No. 1384]

- Certification of Nikhil Dhanani in Support of DPEG Fountains LP's Objection to the Notice of Assumption of Certain Unexpired Leases [Docket No. 1573]
- Pinnacle Hills, LLC's Sur-Reply in Further Support of Its Objection to Debtors' Motion for Order Authorizing Debtors to Assume and Assign Lease for Store No. 1142 [Docket No. 1926]
- Declaration of Jeffrey Aronoff in Support of Pinnacle Hills, LLC's Sur-Reply in Further Support of Its Objection to Debtors' Motion for Order Authorizing Debtors to Assume and Assign Lease for Store No. 1142 [Docket No. 1927]
- Declaration of Kristin S. Elliott, Esq. In Support of Pinnacle Hills, LLC's Sur-Reply in Further Support of Its Objection to Debtors' Motion for Order Authorizing Debtors to Assume and Assign Lease for Store No. 1142 [Docket No. 1928]
- Supplemental Objection in Further Support of Opposition of Daly City Serramonte Center, LLC to Debtors' Motion for Order Authorizing Debtors to Assume and Assign Lease for Store No. 3108 [Docket No. 1929]
- Declaration of Ernst A. Bell in Support of Opposition of Daly City Serramonte Center, LLC to Debtors' Motion for Order Authorizing Debtors to Assume and Assign Lease for Store No. 3108 [Docket No. 1930]
- Supplemental Objection and Joinder by DPEG Fountains, LP in Further Support of Its Objection to Debtors' Motion for Order Authorizing Debtors to Assume and Assign Lease for Store No. 126 [Docket No. 1933]
- **Exhibit A [to Declaration of Todd Powers in Support of Michael's Stores, Inc.'s Reply to Objection of Pinnacle Hills, LLC to Debtors' Motion for Order Authorizing Debtors to Assume and Assign Lease for Store No. 1142] [Docket No. 1951]**
- **Burlington Stores, Inc.'s Omnibus Reply to Objections to Burlington's Assignment and Assumption of Leases and any Cure Amounts Related Thereto [Docket No. 2058]**
- **Michael's Stores, Inc.'s Further Reply to Objection and Sur-Reply of Pinnacle Hills, LLC to Debtors' Motion for Order Authorizing**

Debtors to Assume and Assign Lease for Store No. 1142 [Docket No. 2059]

Status: This matter is going forward with permission of the Court except with respect to the (i) opposition filed by HGREIT II Edmondson Road, LLC related to Store No. 301, and (ii) objection filed by Realty Income Corporation related to Store No. 1107, each of which will be further adjourned to a date to be set by the Court.

II. RESOLVED AND ADJOURNED MATTERS

1. Debtors' Motion for Entry of an Order (I) Authorizing (A) Rejection of Certain Unexpired Leases and (B) Abandonment of Any Personal Property, Effective as of the Rejection Date and (III) Granting Related Relief [Docket No. 1613]

A. Related Documents

- Application for Order Shortening Time [Docket No. 1614]
- Order Shortening Time Period for Notice [Docket No. 1676]
- Order (I) Authorizing (A) Rejection of Certain Unexpired Leases and (B) Abandonment of any Personal Property, Effective as of the Rejection Date and (II) Granting Related Relief [Docket No. 1919]
- Debtors' Reply in Support of Debtors' Motion for Entry of an Order (I) Authorizing (A) Rejection of Certain Unexpired Leases and (B) Abandonment of Any Personal Property, Effective as of the Rejection Date and (III) Granting Related Relief [Docket No. 2066]
- Stipulation Between Debtor, Oak Street and Nordstrom, Inc. with Respect to Certain Leases in Addison, Texas [Docket No. 2076]

B. Responses/Objections

- Ikea Property, Inc.'s Objection to the Debt Debtors' Motion for Entry of an Order (I) Authorizing (A) Rejection of Certain Unexpired Leases and (B) Abandonment of Any Personal Property, Effective as of the Rejection Date and (III) Granting Related Relief [Docket No. 1879]

Status: This matter is mutually, consensually resolved with respect to the objection filed by IKEA Property, Inc. and the Debtors will submit an order to the Court with the consent of IKEA Property, Inc. This matter will be further adjourned to September 12, 2023 at 2:30 p.m. (ET) solely with respect to the Nordstrom lease for the store located at 13900 Dallas Parkway, Addison, TX 75240.

Dated: August 29, 2023

/s/ Michael D. Sirota

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